

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SECURE CHANNELS, INC., a California  
corporation,

Plaintiff,

v.

ROBERT COLERIDGE, a Washington  
resident,

Defendant.

Case No. C16-1306RSM

ORDER DENYING DEFENDANT'S  
MOTION FOR RELIEF FROM  
DEADLINE

This matter comes before the Court on Defendant's Motion for Relief from Deadline. Dkt. #8. Defendant requests that the Court delay issuing any scheduling order and extend the deadline for the Rule 26(f) conference until after ruling on Defendant's motion to dismiss. *Id.* Plaintiff opposes the motion, arguing that Defendant has failed to demonstrate good cause for any delay. Dkt. #21. The Court now finds the motion MOOT for several reasons, and therefore DENIES the motion.

As an initial matter, the Court notes that the posture of this matter has changed since the instant motion was filed. Indeed, prior to the time this motion was noted for consideration, Plaintiff had filed a motion to dismiss for failure to state a claim upon which relief could be granted. Dkt. #11. The pendency of that motion formed at least part of the reason that Defendant sought relief from discovery. However, on November 18, 2016, the parties filed a

1 stipulated motion to allow the filing of an Amended Complaint to add a new Defendant,  
2 wherein Defendant also withdrew its motion to dismiss. Dkt. #24. The Court granted the  
3 motion; thus, the motion to dismiss no longer remains pending. Dkt. #25.

4 Further, it is the practice of this Court to issue an Order Regarding Initial Disclosures  
5 and Joint Status Report after an Answer is filed. That Order sets forth the deadlines for the  
6 FRCP 26(f) conference, initial disclosures, and the parties' Joint Status Report. Although it  
7 appears that the parties in this case have proceeded with some of these actions already, the  
8 Court notes that it has not yet issued its Order Regarding Initial Disclosures and Joint Status  
9 Report in this matter. Thus, those deadlines have not yet been set. The Court further notes that  
10 given a new Defendant has just been added, it appears that the parties will need to re-engage in  
11 these tasks in any event. Again, the Court will issue its Order Regarding Initial Disclosures and  
12 Joint Status Report after an Answer has been filed, which will set forth the deadline for the  
13 parties' Joint Status Report. After the Joint Status Report has been filed, the Court will issue a  
14 Scheduling Order setting forth a trial date and remaining pre-trial deadlines.

15 For these reasons, the Court finds Defendant's motion (Dkt. #8) to be MOOT and it is  
16 therefore DENIED.

17 DATED this 22 day of November, 2016.

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE